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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,575	08/21/2003	Winnie C. Wu	MSFT-2733/305587.01	9794

41505 7590 03/08/2005

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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/646,575	WU ET AL.	
	Examiner	Art Unit	
	Neveen Abel-Jalil	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/9/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6-9, and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Call (U.S. Pub. No. 2002/0143521 A1).

As to claims 1, 8, and 13, Call discloses a storage platform comprising:

a data store in which data stored therein is defined in terms of items, elements, and relationships, wherein an item is a unit of data storable in the data store and comprises one or more elements, an element is an instance of a type comprising one or more fields (See Call page 5, paragraph 0065, also see Call page 11, paragraphs 0115-0117, also see Call page 18, paragraph 0275), and

a relationship is a link between at least two items (See Call page 26, column 1, lines 29-37);

a set of schemas that define different types of items, elements, and relationships (See Call page 11, paragraphs 0115-0117); and

an application programming interface comprising a class for each of the different items, elements, and relationships defined in the set of schemas (See Call page 25, paragraphs 0376-

0375, also see Call page 5, paragraph 0070).

As to claims 2, 9, and 14, Call discloses wherein data may also be stored in the data store in the form of an extension to an existing item type, and wherein the application programming interface comprises a class for each different item extension (See Call page 26, column 2, lines 1-17).

As to claim 3, Call discloses wherein the class for each type of item, element, and relationship is generated automatically based on the set of schemas that define each type of item, element, and relationship (See Call page 25, paragraph 0374, also see Call pages 11-12, paragraph 0125).

As to claims 6, and 12, Call discloses comprising a database engine on which the data store is implemented, and wherein the different types of items, elements, and relationships in the data store are implemented in the database engine as user-defined types (UDT) (See Call pages 11-12, paragraphs 0125-0128).

As to claim 7, Call discloses wherein the application programming interface provides a query model that enables application programmers to form queries based on various properties of the items in the data store, in a manner that insulates the application programmer from the details of the query language of the database engine (See Call page 11, paragraphs 0120-0124, also see

Call page 5, paragraphs 0070-0071).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5, 10-11, and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Call (U.S. Pub. No. 2002/0143521 A1) in view of Freyssinet et al. (U.S. Patent No. 6,477,564 B1).

As to claims 4, 10, and 15, Call does not teach wherein the classes for each type of item, element, and relationship define a set of data classes, and wherein the application programming interface further comprises a second set of classes that define a common set of behaviors for the data classes.

Freyssinet et al. teaches wherein the classes for each type of item, element, and relationship define a set of data classes, and wherein the application programming interface further comprises a second set of classes that define a common set of behaviors for the data classes (See Freyssinet et al. column 6, lines 31-46, also see Freyssinet et al. column 5, lines 28-53).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Call to include the classes for each type of item,

element, and relationship define a set of data classes, and wherein the application programming interface further comprises a second set of classes that define a common set of behaviors for the data classes.

It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Call by the teaching of Freyssinet et al. to include the classes for each type of item, element, and relationship define a set of data classes, and wherein the application programming interface further comprises a second set of classes that define a common set of behaviors for the data classes because it allows for ease of data integration and assists in decision making process (See Freyssinet et al. column 1, lines 23-40).

As to claims 5, 11, and 16, Call as modified discloses wherein the second set of classes comprise a first class that represents a storage platform scope and that provides the context for queries on the data store and a second class the represents the results of a query on the data store (See Call page 21, paragraphs 0321-0322, also see Freyssinet et al. column 5, lines 20-50).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Faybishenko et al. (U.S. Pub.. No. 2003/0158839 A1) teaches element and element value type and context stored in a database.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074.

The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
March 2, 2005


SAM RIMELL
PRIMARY EXAMINER